

June 1, 2007

Rory H. Foley
Assistant Attorney General
Suite 900
445 Minnesota Street
St. Paul, MN 55101-2127

Kelly W. Hoversten, Esq.
Gray, Plant, Mooty, Mooty & Bennett, P.A.
500 IDS Center
80 South Eighth Street
Minneapolis, MN 55402-3796

Erik T. Salveson, Esq.
Halleland Lewis Nilan & Johnson, PA
600 U.S. Bank Plaza South
220 South Sixth Street
Minneapolis, MN 55402-4501

Re: *Commissioner of Labor and Industry vs. Smith Foundry Company*
OAH Docket No. 3-1901-17986-2

Dear Counsel:

This letter constitutes the Prehearing Order concerning discussions held in the telephone prehearing conference on May 23, 2007. Mr. Foley appeared for the Commissioner; Mr. Hoversten appeared for Smith Foundry Company.

During the prehearing conference we set the following deadlines:

- | | |
|---------------------|--|
| October 31, 2007: | Discovery deadline. All discovery requests shall be served sufficiently in advance of this deadline so that responses are due no later than October 31, 2007. |
| November 9, 2007: | Motion deadline. |
| November 16, 2007: | Deadline for the parties to exchange all exhibits they intend to offer into evidence at the hearing, along with a witness list containing a brief summary of the anticipated testimony of each witness. The parties shall provide to the Administrative Law Judge copies of the exhibit and witness lists, but not the exhibits. |
| December 4-6, 2007: | Hearing, commencing at 9:30 a.m. at the Office of Administrative Hearings. By the time of the hearing OAH will be located in the Stassen Building, 600 North Robert Street, St. Paul. |

If the parties decide that mediation by an Administrative Law Judge might help them successfully resolve this matter, mediation can usually be arranged fairly quickly. Please send a letter to Chief Administrative Law Judge Raymond R. Krause informing him that both parties request assignment of another ALJ to act as a mediator in this matter.

Sincerely,

s/Kathleen D. Sheehy

KATHLEEN D. SHEEHY
Administrative Law Judge
Telephone: (612) 341-7602

cc: Docket Coordinator